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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARIO CORTES-ALVAREZ,

Defendant.

Case No. 2:24-cr-00091-GMN-EJY

**Motion to Continue the Competency  
Hearing**

On May 23, 2024, the Court ordered the defendant transferred to BOP custody for a competence examination. ECF 22. Defendant was transferred to FDC SeaTac and is under the care of Dr. Ryan Nybo. Dr. Nybo informed the Court that the defendant arrived at FDC SeaTac on June 21, 2024. Dr. Nybo has notified the Court that he will need additional time to complete the necessary examination and author the report documenting his findings. Dr. Nybo advised undersigned counsel that he will need about 30 days to complete the examination and about 15 days thereafter to complete the report. The parties will need time to review the report and prepare for the competency hearing. The Court has scheduled the competency hearing for July 18, 2024. ECF 22. The government attempted

1 to contact defense counsel but discovered that she is ill and not available, which is why the  
2 government is proceeding by motion. The Court set the deadline for today, June 28, 2024,  
3 for any request for an extension of time to file the report. ECF 22. For all these reasons,  
4 the government moves that the date to file the report be extended and the competency  
5 hearing be continued for not less than 60 days from the current July 18 setting.

6 Respectfully submitted this 28th day of June, 2024.

7  
8 JASON M. FRIERSON  
United States Attorney

9 /s/ Kimberly M. Frayn  
10 By \_\_\_\_\_  
KIMBERLY M. FRAYN  
11 JESSICA OLIVA  
12 Assistant United States Attorneys

13 **ORDER**

14 The government's motion is GRANTED. The report shall be due by August 7,  
15 2024. The Competency Hearing is set for September 24, 2024 at 10:00 am in  
16 Las Vegas Courtroom 3B before Magistrate Judge Brenda N. Weksler.

17  
18 IT IS SO ORDRED this 8 day of July, 2024.

19   
20 THE HONORABLE BRENDA N. WEKSLER  
21 UNITED STATES MAGISTRATE JUDGE  
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